

441—28.1 (218) Definitions. The definitions in this rule apply to 441—Chapters 28, 29, and 30.

“Admission” means the acceptance of an individual for full residence at a state mental health institute or resource center on either a voluntary or involuntary basis.

“Adult” means an individual who is 18 years of age or older.

“Board of supervisors” means the elected governing body of a county as defined in Iowa Code section 331.101.

“Catchment area” means the group of counties, designated by the deputy director, that each mental health institute or state resource center is assigned to serve.

“Central point of coordination process” means the process defined in Iowa Code section 331.440(1) “a.”

“Child” means an individual who is under the age of 18.

“County of residence” means the same as defined in rule 441—25.11(331).

“Deputy director” means the deputy director for field operations within the Iowa department of human services.

“Family contact,” for an adult individual, means:

1. The family member the individual has designated in writing to receive information concerning the individual’s services; or
2. A person, often referred to as a substitute decision maker, who has been legally authorized to make care decisions for the individual if the individual loses decision-making capacity.

“Grievance” means a written or oral complaint by or on behalf of an individual involving:

1. A rights violation or unfairness to the individual, or
2. Any aspect of the individual’s life with which the individual does not agree.

“Guardian” means the person other than a parent of a child who has been appointed by the court to have custody of the person of the individual as provided under Iowa Code section 232.2(21) or 633.3(20).

“Individual” means any person seeking or receiving services from a state mental health institute or a state resource center.

“Informed consent” means an agreement by an individual or by the individual’s parent, guardian, or legal representative to participate in an activity based upon an understanding of all of the following:

1. A full explanation of the procedures to be followed, including an identification of those that are experimental.
2. A description of the attendant discomforts and risks.
3. A description of the benefits to be expected.
4. A disclosure of appropriate alternative procedures that would be advantageous for the individual.
5. Assurance that consent is given freely and voluntarily without fear of retribution or withdrawal of services.

“Legal representative” means a person, including an attorney, who is authorized by law to act on behalf of an individual.

“Legal settlement” means the determination made under Iowa Code sections 252.16 and 252.17 to identify whether one of the 99 Iowa counties has a legal obligation to provide financial support for an individual.

“Parent” means a natural or adoptive mother or father of a child but does not include a mother or father whose parental rights have been terminated.

“Rights” means the human, civil, and constitutional liberties an individual possesses through federal and state constitutions and laws.

“State case” means the determination made under Iowa Code section 252.16 that identifies an individual as not having legal settlement in an Iowa county and places funding responsibility with the state.

“Superintendent” means the superintendent of any of the four mental health institutes and the two state resource centers.

This rule is intended to implement Iowa Code section 218.4.

[ARC 8094B, IAB 9/9/09, effective 11/1/09]